

DOCKET NO.: CEPH-0939
Application No.: 09/500,849
Office Action Dated: December 19, 2002

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS/ARGUMENTS

Following entry of the foregoing amendments, claims 1 to 3, 5 to 7, 10, 13 to 15, 17 to 20, 29 to 33, 35 to 37, 43 to 51, 55, 56, 63 to 65, 73, and 74 will be pending in the application. Claims 1 to 3, 6, 7, 10, 13 to 15, 17 to 19, 29, 31 to 33, 35, 37, 43, 50, 51, 55, 56, 65, and 73 have been amended and claims 4, 8, 9, 11, 12, 16, 21 to 28, 34, 38 to 41, 52 to 54, 57 to 62, 66 to 72, and 75 to 95 have been canceled, herein. No new claims have been added. Because the amendments remove issues for appeal, Applicants respectfully request entry thereof. MPEP § 714.13.

Applicants respectfully request reconsideration of the objections of record in view of the foregoing amendments and the following remarks.

Objections to the Claims

Claims 1 to 58, 60, 61, 63 to 65, 73, 74, and 95 have been objected to for containing non-elected subject matter. As discussed in the Request for Reconsideration filed March 18, 2003, it was Applicants' understanding that the election of species requirement was levied in the present application to aid the Examiner in an initial search and examination of the claimed subject matter. It was Applicants' further understanding that if the elected species were found to be allowable over the prior art, the search and examination would be expanded to include additional species, until the search and examination covered the full scope of the generic claims. The Advisory Action indicates, however, that upon further consideration, "due to the vastness of the claimed subject matter, the search will not be expanded." The Advisory Action suggests limiting the claims to the generic concept identified in the Office Action issued May 7, 2002. Without conceding the necessity for limiting the search and

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examination to the identified generic concept, the claims have been amended to encompass the subject matter identified in the Office Action issued May 7, 2002. The objection has therefore been obviated, and Applicants respectfully request withdrawal thereof.

Conclusion

In view of the foregoing, Applicants submit that the claims are in condition for allowance, and an early Office Action to that effect is earnestly solicited.

Respectfully submitted,

Date: *May 19, 2003*

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